



## Administrative Policies and Procedures: 14.5

<b>Subject:</b>	<b>Child Protective Services Planning, Initiation and Assessment of Safety and Protection</b>
<b>Authority:</b>	TCA 37-1-401et seq; 37-1-601et seq; 37-5-105; 37-5-106; 37-5-107
<b>Standards:</b>	<b>DCS Practice Standards:</b> 5-201; 5-202; 5-203; 5-401; 5-402
<b>Application:</b>	All Department of Children's Services Child Protective Services Employees and Special Investigations Unit Employees

### Policy Statement:

Child Protective Services (CPS) shall determine whether children have been abused or neglected or in need of services, and shall use uniform assessment instruments and tools to make structured decisions about relevant child safety information to conduct timely and efficient tasks needed to keep children safe.

### Purpose:

A CPS case is initiated to determine whether a report of alleged child abuse or neglect exists to ensure the safety of the victim(s). As information is gathered during the case, it will be used in the on-going assessment of strengths of the child and family, safety of the child and risk to the child. This assessment process will be guided by and documented on the Family Functional Assessment, Structured Decision Making (SDM) Safety, Risk Assessments, Risk Re-assessments, as appropriate, and other assessment tools, as appropriate, and/or in TN Kids case recordings.

### Procedures:

<b>A. Factors that constitute a good faith attempt to meet response times</b>	<ol style="list-style-type: none"><li>1. The CPS case worker learns, upon proceeding to the location given, that the alleged child victim(s) have disappeared, the family has fled, the address does not exist, no one is at the location, or not all of the alleged child victim(s) are at the location. The following circumstances are examples for "good faith attempts":<ol style="list-style-type: none"><li>a) Making two (2) or more visits to the child's reported whereabouts at different times of the day.</li><li>b) Going to the school, childcare center, babysitter's home, or speaking with neighbors.</li><li>c) Calling back the reporter to verify identifying information.</li></ol></li></ol>
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	<ul style="list-style-type: none"> <li>d) Checking with post office and utility companies to obtain information on the child and family's whereabouts.</li> <li>e) Requesting local, county and state law enforcement agencies to check their records for information which would locate family.</li> <li>f) Research for previous DCS history.</li> </ul> <ol style="list-style-type: none"> <li>2. The CPS case worker learns, upon proceeding to the location given for the alleged child victim(s), that all of the alleged child victim(s) are not accessible or it is not possible to communicate with the alleged child victim because an interpreter (foreign or sign language) is needed; or</li> <li>3. The CPS case worker learns, upon proceeding to the location given for the alleged child victim(s) that the adult caretaker refuses to allow the CPS case worker to see or speak with the alleged child victim(s). When the parent, caretaker, or another person denies the CPS case worker access to child victim(s) required to be seen, the CPS case worker will explain their purpose pursuant to <i>TCA 37-1-406</i> that gives the CPS case worker authority to see the children.</li> <li>4. If the CPS case worker is still denied access to the child victim(s), they will immediately contact/consult with their Team Leader and Regional Legal Counsel for assistance. If necessary to obtain access, the CPS case worker will pursue a court order.</li> <li>5. If the CPS case worker is unable to locate, or interview/observe the victim face-to-face or family within the required time frame for response, he/she will document in the case narrative all good faith attempts.</li> <li>6. If all attempts fail, the CPS case worker will confer with the CPS team leader to determine the next course of action to ensure safety of the victim or children. The investigation may be terminated with the CPS case worker approval with a classification of "Unable to Complete".</li> </ol>
<b>B. Diligent efforts to locate</b>	<ol style="list-style-type: none"> <li>1. The CPS case worker will make diligent efforts to locate children reported to be abused or neglected in order to assess the safety and risk to the alleged victim. Diligent efforts to locate are defined as persistent, relevant attempts to locate the child and his/her family. CPS case workers are expected to be creative and flexible in determining the whereabouts of families who are not located by routine means.</li> <li>2. Diligent efforts to locate and complete a face-to-face contact with the child will only be approved by the Supervisor when the CPS case worker documents diligent efforts to locate. These may include: <ul style="list-style-type: none"> <li>a) Make unscheduled home visit after hours and weekends and document results.</li> <li>b) Visit the child at school. If the child is not at school, check school records for emergency contact information.</li> <li>c) Research local directories and TNKids for correct address information.</li> <li>d) Obtain reliable collateral information to indicate the family is gone for more than 48 hours (i.e., on vacation).</li> <li>e) Determine if the child is in an alternative placement with parent (i.e.,</li> </ul> </li> </ol>

	<p>shelter) but not at the placement at the time of the CPS case worker's visit.</p> <ul style="list-style-type: none"> <li>f) Obtain reliable collateral information confirming no contact between the alleged victim and the alleged out of home perpetrator and little or no risk to the alleged victim requiring immediate interview.</li> <li>g) Check other agency records for another address for the child.</li> <li>h) Check with relatives who may have knowledge of the alleged victim's whereabouts.</li> </ul> <p>3. When the child can be located, but not interviewed, the information must be documented. Reasons include but are not limited to:</p> <ul style="list-style-type: none"> <li>a) The spoken language of the child/family differs from the CPS case worker, and if a translator is not immediately available. Observation of the child must be noted.</li> <li>b) The case requires a joint law enforcement interview that cannot be arranged within the priority response time, and the risk to the alleged victim is assessed to be low and does not require immediate intervention for the child's protection.</li> <li>c) The caregiver refused to allow an interview with the child.</li> </ul>
<p><b>C. Initiating the investigation- <u>required</u> notifications when <u>sexual or severe</u> <u>physical abuse</u> is alleged</b></p>	<p><b>1. Convening Child Protective Investigative Team (CPIT):</b></p> <ul style="list-style-type: none"> <li>a) To convene CPIT, DCS or another member of CPIT will contact CPIT members according to <u>written local protocols</u>. CPIT must be notified immediately on all reports <u>alleging child sexual abuse and severe physical abuse</u>.</li> <li>b) All CPIT notifications must be documented in the case recordings and will include full names and titles of parties contacted. (Refer to DCS Policy <a href="#"><u>14.6, Child Protective Investigative Team (CPIT)</u></a> for additional information on CPIT.)</li> </ul> <p><b>2. Notification to the District Attorney:</b></p> <ul style="list-style-type: none"> <li>a) The CPS case worker must verbally notify the Local DA's Office immediately upon receipt of all cases of <u>alleged sexual abuse or severe child abuse</u>, unless written local protocol provides for a different procedure. The District Attorney, other CPIT members, and the Regional Administrator or his/her designee must sign all <u>written local protocols</u> and a copy must be maintained in the local office.</li> <li>b) Regardless of how the notification occurs, the CPS case worker or other DCS staff as applicable, must send the DA a copy of the CPS TNKids documentation or <b>CPS Intake Summary (CS-0680)</b> within seven (7) business days of receipt of the report.</li> </ul> <p><b>3. Notification to Child Advocacy Centers (CAC):</b></p> <p>Child Advocacy Centers will be notified, <u>in jurisdictions where CAC's exist</u>, of severe abuse allegations through the <i>National Children's Alliance Trak</i> that extracts the allegations from the TNKids database. The CAC and CPIT may also be notified of any other severe abuse allegations, if the team has agreed to accept investigative responsibilities of these additional reports. The CPS case worker will send the CAC a copy of the CPS intake document within</p>

	<p>seven (7) business days of receipt of the report to be investigated.</p> <p><b>4. Notification to Juvenile Court Judge:</b></p> <p>All assigned cases to CPS/SIU shall be reported to the appropriate Juvenile Court Judge. Each region must establish written local protocols on timeframes for notification.</p> <p><b>5. Notification to other agencies (if applicable):</b></p> <p>For reports involving licensed facilities, the appropriate authorities must be notified:</p> <ul style="list-style-type: none"> <li>a) Department of Human Services</li> <li>b) Department of Children's Services</li> <li>c) Department of Mental Health and Developmental Disabilities</li> <li>d) Other Licensing agencies as necessary</li> </ul>
<b>D. Courtesy Interviews</b>	<ol style="list-style-type: none"> <li>1. CPS case worker will participate in and conduct timely courtesy interviews as requested across regional and state lines. Before requesting courtesy interviews, the following should be considered: <ul style="list-style-type: none"> <li>a) The best interest of the child and family;</li> <li>b) Prompt and accurate notification to other county;</li> <li>c) Feasibility of conducting the interview; and</li> <li>d) Criteria for conducting a courtesy interview must be clearly defined to keep the investigation accurate.</li> </ul> </li> <li>2. In-state requests will be made by e-mail from Team Leader to Team Leader and Team Coordinator. The staff conducting the interview will document the information in TNKids.</li> <li>3. Time frames: <ul style="list-style-type: none"> <li>a) Alleged victim – will be interviewed within the response time assigned;</li> <li>b) Other interviews – within fourteen (14) calendar days of receiving the request; and</li> <li>c) Out-of-state requests - within fourteen (14) calendar days of receiving the request.</li> </ul> </li> </ol>

<b>Forms:</b>	<p><a href="#"><u>CS-0533, Medical Services Authorization for Non-TennCare Eligible Children</u></a></p> <p><a href="#"><u>CS-0729, Child Abuse Review Team</u></a></p> <p><a href="#"><u>CS-0714, Checklist for Good Faith Attempts to Locate</u></a></p>
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Collateral Documents:	<p><b>Structured Decision Making™ Assessments:</b></p> <p><u><a href="#">SDM™ Child Abuse/Neglect Screening Criteria</a></u></p> <p><u><a href="#">SDM™ Response Priority</a></u></p> <p><u><a href="#">SDM™ Safety Assessment</a></u></p> <p><u><a href="#">SDM™ Safety Assessment-Page 2</a></u></p> <p><u><a href="#">SDM™ Family Risk Assessment</a></u></p> <p><u><a href="#">SDM™ Family Risk Reassessment (for Non-Protective Custodial Cases)</a></u></p> <p><u><a href="#">Work Aid – 2 – CPS Categories and Definitions of Abuse/Neglect</a></u></p> <p><u><a href="#">Work Aid – 3 – CPS Investigative Tasks and Activities</a></u></p> <p><u><a href="#">Work Aid - 4 - Protocol for CPS Investigations Involving Methamphetamines</a></u></p> <p><u><a href="#">Work Aid - 5- Protocol for Anonymous Voluntary Abandonment of Unharmmed Newborn Infant</a></u></p>
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<b>Glossary:</b>	
<b>Term</b>	<b>Definition</b>
<b>Child Advocacy Center (CAC):</b>	<p>Benefits the child, the family, and the community by identifying and treating child abuse early and effectively. The center helps to prevent further abuse through its program of counseling and education, and by providing valuable evidence for prosecution of offenders.</p> <p><a href="http://www.childhelpusa.org/tennessee/programs_advocacy.htm">http://www.childhelpusa.org/tennessee/programs_advocacy.htm</a></p>
<b>Child Abuse Review Team (CART):</b>	<p>The team is composed of at least a representative of DCS, who serves as team coordinator; a physician; a psychologist or psychiatrist; a social worker; a representative of the local juvenile court, if requested by the juvenile judge and a representative of the local law enforcement agency. DCS chooses its representatives and all other persons on the team except for the representatives of the local law enforcement agency and the local juvenile court, who are chosen by the chief officer of their respective operating units.</p>
<b>Child Protective Investigation Team (CPIT):</b>	<p>A legally mandated, multi-disciplinary team that conducts an investigation of alleged sexual abuse or other severe child abuse. A CPIT includes one DCS CPS case worker, one representative from the District Attorney's office, one juvenile court officer or investigator from a court of competent jurisdiction, one properly trained law enforcement officer with county-wide jurisdiction from the county where the child resides or where the abuse/neglect occurred, the CAC director/designee, and one representative from the mental health profession (optional). The CPIT may conduct investigations on other severe abuse cases if the local written protocols provide for this.</p>